



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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**BY ECF**

The Honorable Valerie E. Caproni  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

April 20, 2020

**MEMO ENDORSED**

**Re:     *United States v. Kerry Vanderpool, 15 Cr. 537 (VEC)***

Dear Judge Caproni:

The Government writes regarding the upcoming resentencing of defendant Kerry Vanderpool, currently scheduled for May 8, 2020. As discussed at the parties' most recent conference before Your Honor, and as mentioned in the letter of January 2, 2020, filed by Vanderpool's counsel, Samuel Braverman, Esq., the defense had contemplated the possibility of filing a petition for certiorari to the Supreme Court as to an argument on which Vanderpool did not prevail before the Second Circuit. *See* Dkt. No. 1436. Having discussed the status of the matter with Mr. Braverman, the Government understands that Vanderpool will not be seeking certiorari, and that the parties are prepared to move to resentencing.

In light of the ongoing COVID-19 pandemic, however, and to ensure Vanderpool the opportunity to prepare for resentencing with Mr. Braverman and to appear in person before the Court, the parties respectfully request an adjournment of resentencing until the week of September 14, 2020.

Application GRANTED. The hearing is adjourned to **September 15, 2020, at 11:00 A.M.** Sentencing submissions, including Mr. Vanderpool's updated work, education, and disciplinary records, are due no later than **September 1, 2020**.

SO ORDERED.

Date: 04/20/2020

*Valerie Caproni*

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

GEOFFERY S. BERMAN  
United States Attorney

By: /s/ Andrew C. Adams

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